

App. No. 10/656,024
Amdt. Dated February 28, 2005
Reply to Office Action of November 29, 2004
Atty. Dkt. No. 7719-115

REMARKS/ARGUMENTS

This reply is responsive to an Office Action dated November 29, 2004. Claims 2, 3, and 6-10 were pending in the application. Claims 2, 3, and 6-10 were rejected.

Independent claim 8 has been amended for clarification purposes. The amendments to the claim were made to render it more clear and definite, and to emphasize the patentable novelty thereof. There is no intention of surrendering equivalence.

New claims 11-13 have been added to emphasize the patentable novelty of the invention and are directed to a system and method for controlling a group of computer units mounted on a rack.

CLAIM REJECTIONS – 35 U.S.C. 102(e)

Claims 2-3, and 6-10 have been rejected under 35 U.S.C. 102(e) as being anticipated by Fowler et al. (U.S. 2002/0029097).

Fowler discloses a device for monitoring a space, such as a server room, over a computer network. (See Abstract.) The Fowler device measures temperature and other environmental parameters and conveys these measured parameters over a network via an HTML page. (See FIG. 17.) Fowler also discloses remotely switching external loads such as an A/C system. (See Col. 15, lines 1-2.)

The Applicants claim "generating a computer unit control signal in response to the receipt of the performance signal for a given computer unit." Instead, Fowler discloses receiving various system parameters from computers and computer peripheral equipment such as on/off status of fans and processor temperatures. (See col. 6, lines 45-52.) The Fowler device may then report this information via an HTML

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page. (See FIG. 17). Or, in the case of a detected malfunction, a notification may be sent via email. (See Col. 8, lines 33-57).

Therefore, although Fowler may generate an HTML or email response to the receipt of a signal from computers and computer peripheral equipment, Fowler does not teach, nor suggest, "generat[ing] a computer unit control signal." In fact, Fowler does not teach, nor suggest, controlling any computer units and only suggests reporting back system parameters in response to the receipt of various system parameters. (See col. 6, lines 45-52.)

Fowler does suggest, however, that external loads may be controlled by a system administrator or upon a preset condition occurring. (See Col. 14, lines 64-67.) However, Fowler does not teach, nor suggest, "sending the control signal to the given one of the computer units." Fowler only suggests controlling external loads such as HVAC units. (See Col. 15, lines 1-5.)

The term "external" is mentioned multiple times within the Fowler disclosure. For example, in FIG. 2 and in Col. 6, lines 34-40, there is described internal clients 24 and external clients 22. These external clients must connect via a dial-up internet or via an other internet connection. These external clients are clearly not located proximate to the equipment being monitored and are outside the server room 10 since they require a dial-up or internet connection. Moreover, external loads, such as an HVAC unit located outside the room 10, may be switched. (See Col. 15, lines 1-5.) In addition, FIG. 2 depicts an HVAC system 14 being external to the server room 10 where the racks 12 and other computer equipment may be located.

The word "load" refers to equipment receiving electrical power, such as the A/C equipment located outside the room 10. As mentioned at lines 2-5 of Col. 15, there is stated that "binary (on-off) outputs connected to one or more relays that can control an

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external load or loads." Furthermore, "(t)he loads can be high voltage loads." It is quite clear that the "control" of "external loads" means simply turning on power to equipment outside the room 10.

Therefore, when Fowler describes controlling external loads, this cannot imply controlling computer units in a rack 12. Thus, Fowler clearly does not teach, nor suggest, "generating a computer control signal in response to the receipt of the performance signal for a given computer units."

The Applicants also claim, "sending the control signal to the given one of the computer units." Instead, Fowler discloses sending signals via a network-based interface, such as HTML, for monitoring parameters on an internal or external client. (See Abstract and Col. 6, lines 27-39.) The signals sent by Fowler are not computer control signals, rather they are signals containing parameter data from various monitored systems via HTML (see FIG. 17), or are power signals for external loads.

The Applicants further claim, "receiving the control signal by the given one of the computer units." Instead, Fowler discloses one or more binary outputs connected to one or more relays that power an external load outside the computer room. Therefore, Fowler does not teach, nor suggest "receiving the control signal by the given one of the computer units" since Fowler does not ever suggest "computer units" receiving control signals.

Applicants' invention also relates to "causing the operation of the given one of the computer units to be controlled in response to the receipt of the control signal." Instead, Fowler discloses causing an external load to be powered on as a result of a predetermined condition or via a command from a system administrator. (See Col. 14, lines 64-67 through Col. 15, line 1.) Therefore, Fowler does not teach, nor suggest, "causing the operation of the given one of the computer units" since Fowler discloses

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powering up an external unit such as an HVAC unit located outside the computer room, and does not teach, nor suggest, causing a given computer unit to be controlled on a rack.

For the foregoing reasons, amended independent claims 8 and 11, and dependent claims 2, 3, 6, 7, and 9-10 patentably distinguish over Fowler, either taken alone or in combination with other cited art of record.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

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